

Serial No. 10/829,468

Attorney Docket No. 00015-22305

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REMARKS

Claims 34-53 are presently pending. Claims 1-3, 5-10, 13-28, and 30-33 have been canceled.

Reconsideration of the application is respectfully requested in view of the following responsive remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

In the Office Action of January 24, 2008 the following actions were taken:

(1) Claims 1-3, 6, 7, and 10 were rejected under 35 U.S.C. 102 as being anticipated by an academic article entitled "Infrared Spectra of Aqueous Solutions. I. Metal Chelate Compounds of Amino Acids" published in the Journal of the American Chemical Society authored by Kazuo Nakamoto, Yukiyoichi Morimoto, and Arthur E. Martell (JACS, 1961 83(22), 4528-4532) (hereinafter "Nakamoto");

(2) Claims 1-3 were rejected under 35 U.S.C. 102 as being anticipated by an academic article entitled "Metal Chelating Tendencies of Glutamic and Aspartic Acids" published in the Journal of Physical Chemistry authored by R. F. Lumb and A. E. Martell (J. Phys. Chem., 1953 57(7), 690-693) (hereinafter "Lumb");

(3) Claims 1-3, 5, 17-19, 27-28, 34-36, 41-45, and 50-53 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 5,504,055 (hereinafter "Hsu");

(4) Claims 1-3, 5, 17, 20-22, 26-28, 34-36, 41-45, and 52-53 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 6,426,424 (hereinafter "Ashmead '424");

(5) Claims 1-3, 5-9, 17-22, 24-28, 43-45, 50-51 and 53 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 4,725,427 (hereinafter "Ashmead '427");

(6) Claims 20-23 was rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu in view of U.S. Pat. No. 6,299,896 (hereinafter "Cooper");

(7) Claims 17-23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu in view of Cooper;

(8) Claims 1, 13-17, and 30-33 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ashmead '427 in view of an academic article entitled "Production and Utilization of Amino Acids" published in Angewandte Chemie International Edition authored by Yoshiharu Izumi, Ichiro Chibata, and Tamio Itoh (Angew. Chem. Int. Ed. Engl. 17, 176-183) (hereinafter "Izumi"); and

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(9) Claims 34, 37-40, 43 and 46-49 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu in view of Izumi.

It is respectfully submitted that the presently pending claims be allowed based on the remarks below.

The Applicant submits that the present application is in better condition for allowance, or appeal, as the Applicant has canceled claims 1-3, 5-10, 13-28, and 30-33. As such, the present claim set is directed towards method claims. The Applicant renews the arguments provided in the previous response as to the Examiner's rejections of the method claims and submits that such claims are in condition for allowance. Therefore, the Applicant requests that the Examiner enter the present amendment and allow such claims or enter the amendment so the Applicant may pursue the present method claims in an appeal.

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CONCLUSION

In view of the foregoing, Applicants believe that claims 34-53 present allowable subject matter and allowance is respectfully requested. If any impediment to the entry of the present amendment and reconsideration of the claims in view thereof remains which could be removed during a telephone interview, the Examiner is invited to telephone Mr. Gary Oakeson of this office, or in his absence, M. Wayne Western, so that such issues may be resolved as expeditiously as possible.

Please charge any additional fees except for Issue Fee or credit any overpayment to Deposit Account No. 20-0100.

Dated this 24th day of March, 2008.

Respectfully submitted,



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